

REMARKS/ARGUMENTS

The Examiner's Office Action and the cited references have been given careful consideration. Following such consideration, claims 19, 20, 22-33, 35-45, 50, 53, 56 and 57 have been amended to define more clearly the patentable invention applicant believes is disclosed herein. Claims 21 and 34 have been cancelled. Moreover, claims 1-18, 46-49, 51, 52, 54 and 55 are currently withdrawn from the application in response to a Restriction Requirement. It is respectfully requested that the Examiner reconsider the claims in their present form, together with the following comments, and allow the application.

Claim Objections

The Examiner has objected to the form of dependent claims 20-31 and 33-44. Appropriate corrections have been made by the present amendment. Accordingly, the Examiner is respectfully requested to withdraw the claim objections.

Rejections under 35 U.S.C. 102 and 103

Claims 19-30, 32-43, 45, 50, 53, 56 and 57 have been rejected under 35 U.S.C. 102(b) as being anticipated by Gawlick et al. (US 6,377,953), hereinafter referred to as "Gawlick." Furthermore, claims 31 and 44 have been rejected under 35 U.S.C. 103(a) as being obvious in view of the combined teachings of Gawlick and Hütsch et al. (US 7,269,664), hereinafter referred to as "Hütsch."

Independent claim 19 has now been amended to include the following limitations:

a plurality of definitions stored in said at least two devices communicating using said communications format, wherein the plurality of definitions define a data structure and a data format given to said first portion and to said second portion, each of said definitions being defined by use of data structures and data formats selected from the plurality of definitions,

wherein the data structure and the data format given to the second portion is definable, using the plurality of definitions, for each communication between said at least two devices

Similar amendments have been made to independent claims 32, 45, 50, 53, 56 and 57.

There are important distinctions to be drawn between the present invention and the system disclosed by Gawlick. Gawlick discloses a database having an integrated transformation

engine that allows complex data types to be stored in their "native" (i.e., original) format in a database. In particular, Gawlick describes the function of the invention as follows (see column 6, lines 52-64):

Functional Overview

According to one aspect of the invention, data items that belong to unsupported data types are stored within the database system in their *native format*. As the data items move into and out of the database system, the data items *remain in their native format*. When external applications desire to see the data items through a particular view, the data items are *transformed* from their native format to the particular view required by the applications. Thus, transformations are triggered by the need to work on a data item, and not simply in response to the data item being moved or stored within a system. (Emphasis added.)

Gawlick further defines the transformation routines as follows (see column 10, lines 29-46):

Transformation Routines

As mentioned above, transformation routines have been used to transform unsupported data types to supported data types, and visa versa, as information flows into and out of the database environment. Routines for performing these transformations for many of the data types used in the e-commerce environment are available from Neonsoft and TSIsoft.

According to embodiments of the invention, these same routines may be specified in the metadata for a transformation view. When an application accesses unsupported data through a transformation view, the database system *retrieves the data* from the database and then *invokes the transformation routine* specified in the metadata associated with that view. The transformation routine transforms the data from its native format to the format expected by the application, and the *transformed data is delivered to the application*. (Emphasis added.)

Thus, it can be seen from Gawlick's disclosure that Gawlick's metadata is used to extract data stored in a native format using transformation techniques. In this respect, the metadata provides information to the relational database about information that is stored in a native data format. The metadata is used internal to a relational database and is not communicated between devices. It should be appreciated that metadata is used to transform data before delivering the

data to an application. Accordingly, it is the *transformed data* that is delivered to the application, not the original native data stored in the database.

In contrast to Gawlick, the present invention allows at least two devices to communicate data therebetween, wherein a first portion (representing data), and a second portion (representing structured data defining a data structure and a data format to be given to the first portion), are transferred between the at least two devices. No transformation of data takes place before the data transfer. Instead, the receiving device uses the second portion that it receives in order to “read” the data of the first portion. To this end, independent claim 19 of the present application now requires:

a plurality of definitions stored in said at least two devices communicating using said communications format, wherein the plurality of definitions define a data structure and a data format given to said first portion and to said second portion, each of said definitions being defined by use of data structures and data formats selected from the plurality of definitions,

wherein the data structure and the data format given to the second portion is definable, using the plurality of definitions, for each communication between said at least two devices

Whereas Gawlick uses metadata to transform data stored in a database before delivering the data to an application, the present invention does not undertake any transformation of data before it is communicated between devices. Instead, each device stores a plurality of definitions that define a data structure and a data format given to a first portion and to a second portion, wherein each of the definitions are defined by use of data structures and data formats selected from the plurality of definitions. Moreover, in order to provide “self-referencing” the data structure and the data format given to the second portion is definable, using the plurality of definitions, for each communication between the at least two devices. This “self-referencing” feature is also absent from Gawlick.

It is further submitted that none of the other references cited by the Examiner provide for the deficiencies of Gawlick. Therefore, it is respectfully submitted that independent claims 19 is patentable over the cited references. It is further submitted that independent claims 32, 45, 50, 53, 56 and 57 are also patentable over the cited references in view of the above comments concerning independent claim 19.

The remaining claims of the present application depend from one of the foregoing independent claims. Therefore, these dependent claims are likewise patentable over the cited references for at least the reasons discussed above in connection with the independent claims.

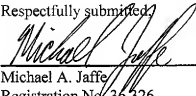
Conclusion

In view of the foregoing comments, it is respectfully submitted that the present application is now in proper condition for allowance. If the Examiner believes there are any further matters that need to be discussed in order to expedite the prosecution of the present application, the Examiner is invited to contact the undersigned.

If there are any fees necessitated by the foregoing communication, please charge such fees to our Deposit Account No. 50-0537, referencing our Docket No. SM9308PCT(US).

Date: **July 20, 2009**

Respectfully submitted,



Michael A. Jaffe
Registration No. 36,326

Kusner & Jaffe
Highland Place – Suite 310
6151 Wilson Mills Road
Highland Heights, Ohio 44143
(440) 684-1090 (phone)
(440) 684-1095 (fax)

MAJ/lc